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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*

Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONEL
MANAGEMENT, *et al.*,

Defendants.

Case No. 3:25-cv-1780-WHA

**DECLARATION OF MARY PLETCHER
RICE IN SUPPORT OF DEFENDANTS'
MOTION FOR STAY OF MARCH 13,
2025, ORDER**

1 I, Mary Pletcher Rice, declare, pursuant to 28 U.S.C. § 1746, as follows:

2 1. I am the Acting Principal Deputy Assistant Secretary for Administration within
3 Departmental Administration at the United States Department of Agriculture (“USDA” or
4 “Department”), headquartered in Washington, D.C. I have served in this position since January
5 31, 2025, and I have been employed at USDA since 2018.

6 2. In my role at USDA, I currently oversee the Department’s Office of Human
7 Resources Management and I have purview over USDA subagencies’ Chief Operating Officers
8 and Human Resources Offices.

9 3. Approximately 5,714 probationary employees were terminated from USDA
10 beginning February 13, 2025, and concluding on or around February 17, 2025.

11 4. USDA is already reinstating the terminated probationary employees, pursuant to a
12 45-day March 5, 2025, Stay Order from the Merit Systems Protection Board, which was
13 requested by the Office of Special Counsel.

14 5. Whether required by operation of the March 5, 2025, MSPB Stay Order and/or
15 this Court’s March 13, 2025, Order granting a preliminary injunction, reinstating the terminated
16 probationary employees is complex and places the following logistical burdens on USDA and its
17 approximately 29 subordinate Mission Areas, Agencies, and Staff Offices, including USDA’s
18 multiple human resources offices: (1) initiating the process of placing all removed probationary
19 employees, who received February 2025 termination letters, into pay status, and providing
20 backpay, from the date of the termination notice through the present, which involves several
21 systems and applies across multiple pay periods; (2) ascertaining whether some of the
22 probationary employees choose to resign, due to having secured other employment or not
23 wanting to return to duty at USDA; (3) reinstituting and ensuring operational status of secured
24 LincPasses, office space, and equipment (including laptops in most instances) for those
25 individuals whose mission criticality requires on-site work; and (4) addressing, as appropriate,
26 any identified or substantiated threats to the physical safety of USDA’s existing 111,000 person
27 workforce and security of USDA’s physical plants and assets across the nation.

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
2 and correct.

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4 Dated: March 14, 2025

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6 Digitally signed by
MARY RICE
Date: 2025.03.14
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7 MARY PLETCHER RICE
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